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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

INTEL CORPORATION,

Plaintiff,

v.

STREAMSCALE, INC.,

Defendant.

Case No. 5:21-CV-04999-EJD

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE HEARING
DATE AND CASE MANAGEMENT
CONFERENCE**

Pursuant to Civil Local Rule 6-2, Plaintiff Intel Corporation (“Intel”) and Defendant StreamScale, Inc. (“StreamScale”), by and through their respective counsel, hereby request and stipulate, subject to Court approval, as follows:

WHEREAS, on August 30, 2021, StreamScale filed its Anti-SLAPP Motion Pursuant to California Code of Civil Procedure Section 425.16, or, In the Alternative, to Dismiss Pursuant to F.R.C.P. 12(b)(3) (Dkt. 24);

1 WHEREAS, the hearing on StreamScale's Anti-SLAPP Motion Pursuant to California Code
2 of Civil Procedure Section 425.16, or, In the Alternative, to Dismiss Pursuant to F.R.C.P. 12(b)(3)
3 was set for January 13, 2022 (Dkt. 32);

4 WHEREAS, on December 13, 2021, the Court entered an order continuing the January 13,
5 2022 hearing to January 27, 2022 (Dkt. 37);

6 WHEREAS, counsel for Intel has a pre-existing conflict on January 27, 2022 that cannot be
7 moved;

8 WHEREAS, Intel approached StreamScale to request a continuance of the hearing to a date
9 on which counsel for both parties are available;

10 WHEREAS, StreamScale agreed to jointly approach the Court regarding a request for an
11 alternative hearing date;

12 WHEREAS, the Court has indicated that the next available hearing date is April 14, 2022;

13 WHEREAS, the parties hereby request and stipulate, subject to Court approval, that the
14 hearing on StreamScale's Anti-SLAPP Motion Pursuant to California Code of Civil Procedure
15 Section 425.16, or, In the Alternative, to Dismiss Pursuant to F.R.C.P. 12(b)(3) be rescheduled from
16 January 27, 2022 at 9:00 AM to April 14, 2022 at 9:00 AM;

17 WHEREAS, there is good cause for this request because Intel's lead counsel has a
18 scheduling conflict on January 27, 2022;

19 WHEREAS, the parties hereby further request and stipulate, subject to Court approval, that
20 the Case Management Conference in this matter be rescheduled from February 24, 2022 at 10 AM
21 to May 12, 2022;

22 WHEREAS, there is good cause for this request because the hearing on the Anti-SLAPP
23 Motion Pursuant to California Code of Civil Procedure Section 425.16, or, In the Alternative, to
24 Dismiss Pursuant to F.R.C.P. 12(b)(3) may inform several of the issues that may be addressed at the
25 Case Management Conference.

26 **IT IS HEREBY STIPULATED AND AGREED** by Intel and StreamScale, subject to the
27 Court's approval:
28

- 1 1. The hearing on StreamScale's Anti-SLAPP Motion Pursuant to California Code of
2 Civil Procedure Section 425.16, or, In the Alternative, to Dismiss Pursuant to F.R.C.P.
3 12(b)(3) currently set for January 27, 2022 at 9:00 AM is continued to April 14, 2022
4 at 9:00 AM.
- 5 2. The Case Management Conference currently set for February 24, 2022 at 10 AM is
6 continued to May 12, 2022 or later.

7 IT IS SO STIPULATED.

8
9 Dated: December 29, 2021

10 By: /s/ Taylor Gooch
11 SONAL N. MEHTA
12 AMANDA L. MAJOR
13 JOSEPH TAYLOR GOOCH
14 ANNALEIGH E. CURTIS
15 WILMER CUTLER PICKERING
16 HALE AND DORR LLP

17 *Attorneys for Plaintiff Intel Corporation*

18
19 Dated: December 29, 2021

20 By: /s/ Michael S. Adler
21
22 *Attorneys for Defendant StreamScale,*
23 *Inc.*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

Honorable Edward Davila
United States District Judge

SIGNATURE ATTESTATION

I am the ECF User whose identification and password are being used to file the foregoing
**STIPULATION AND PROPOSED ORDER TO CONTINUE HEARING DATE AND
CASE MANAGEMENT CONFERENCE**, I hereby attest that the other signatories have
concurred in this filing.

Dated: December 29, 2021

By: /s/ Taylor Gooch
Joseph T. Gooch

CERTIFICATE OF SERVICE

I hereby certify that on December 29, 2021, I electronically filed the above document with
the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all
registered counsel.

Dated: December 29, 2021

By: /s/ Taylor Gooch
Joseph T. Gooch